

Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

<p><u>In re Terrorist Attacks on September 11, 2001</u> <u>XXX</u> <u>XXX</u></p> <p style="text-align: center;">PLAINTIFFS,</p> <p>v.</p> <p style="text-align: center;">ISLAMIC REPUBLIC OF IRAN</p> <p style="text-align: center;">DEFENDANT</p>	<p><u>As relates to: 03 MDL 1570 (GBD) (SN)</u></p> <p><u>Civil Docket Number:</u> _____</p> <p><u>SHORT FORM COMPLAINT AND DEMAND FOR TRIAL BY JURY</u></p> <p><u>ECF CASE</u></p>
--	---

IRAN SHORT FORM COMPLAINT

Plaintiff(s) file(s) this Short Form Complaint against Defendant Islamic Republic of Iran (“Iran”) arising out of the September 11, 2001 terrorist attacks (“September 11, 2001 Terrorist Attacks”) as named herein by and through the undersigned counsel.

Plaintiff(s) incorporate(s) by reference the specific allegations, as indicated below, of (1) the *Ashton, et al. v. al Qaeda et al.* Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran 02-cv-6977 (S.D.N.Y.) (GBD) (SN); 03 MDL 1570 Doc. No. 3237 (hereinafter the “*Ashton Iran Complaint*”); or (2) the *Burnett, et al. v. Islamic Republic of Iran et al.*, Amended Complaint, 15-cv-9903 (S.D.N.Y.) (GBD) (SN) Doc. No. 53 (hereinafter the “*Burnett Iran Complaint*”).

Plaintiff(s) file(s) this *Iran Short Form Complaint* as permitted and approved by the Court’s Order of May _____, 2018, ECF No. ____.

Upon filing of this *Iran Short Form Complaint*, Plaintiff(s) is/are deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all causes of action contained within that complaint; all prior filings in connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

Additionally, Plaintiff(s) incorporate(s) the factual allegations and findings contained in those pleadings and orders filed, *inter alia*, at *Havlish v. Bin Laden*, Docket No. 1:03-cv-9848, ECF Nos. 263, 294, 295 (S.D.N.Y Dec. 22, 2011); *Havlish v. Bin Laden*, 03 MDL 1570, ECF Nos. 2430, 2431, 2432, 2433, 2473, 2515, 2516; and evidence submitted at the proceedings before Hon. George B. Daniels on December 15, 2011 (ECF No. 2540).

This *Iran Short Form Complaint* relates solely to Defendant Iran, and does not apply to any other defendant.

VENUE

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

JURISDICTION

2. Jurisdiction against Iran is premised on the grounds set forth in the complaints specified below, including but not limited to 28 U.S.C. § 1605(a) (tort exception to the Foreign Sovereign Immunities Act), 28 U.S.C. § 1605A (terrorism exception to the Foreign Sovereign Immunities Act) and 28 U.S.C. § 1605B (Justice Against Sponsors of Terrorism Act).

CAUSES OF ACTION

3. Plaintiff(s) hereby adopt(s) and incorporate(s) by reference all factual allegations, jurisdictional allegations, and jury trial demand, including all causes of action against Iran, as set forth in the following complaint [**check only one complaint**]:

- ☐ *Ashton* Iran Complaint, Docket Number 02-cv-6977 (S.D.N.Y.) (GBD)(SN) (03-md-1570 ECF Doc. No. 3237)
- ☐ *Burnett* Iran Complaint, Docket Number 15-cv-9903 (S.D.N.Y.) (GBD)(SN) (ECF Doc. No. 53)

4. In addition, Plaintiff(s) hereby assert the following additional causes of

action:

- ☐ *Iran Short Form Complaint* First Cause of Action to Recover Wrongful Death Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

As a factual basis for this cause of action, Plaintiff(s) allege that the allegations set forth in the complaint noted above, as well as the allegations set forth in the *Havlish* filings noted above, establish that, as set forth herein, the injuries they suffered arose from the September 11, 2001 Terrorist Attacks; Defendant's role in the September 11, 2001 Terrorist Attacks constituted acts of international terrorism that violated state and federal laws pursuant to 18 U.S.C. § 2331; that the September 11, 2001 Terrorist Attacks constituted acts of international terrorism committed, planned or authorized by an organization that had been designated as a foreign terrorist organization under 8 U.S.C. § 1189; that the September 11, 2001 Terrorist Attacks violated state and federal laws pursuant to 18 U.S.C. § 2331; and that Defendant aided and abetted, by knowingly providing substantial assistance, with others and/or conspired with others who committed an act or acts of international terrorism in violation of 18 U.S.C. § 2333 *et seq.*

- ☐ *Iran Short Form Complaint* First Cause of Action to Recover Personal Injury Damages Pursuant to 28 U.S.C. § 1605B (the Justice Against Sponsors of Terrorism Act or JASTA) and 18 U.S.C. § 2333 *et seq.* (the Anti-Terrorism Act or ATA)

As a factual basis for this cause of action, Plaintiff(s) allege that the allegations set forth in the complaint noted above, as well as the allegations set forth in the *Havlish* filings noted above, establish that, as set forth herein, the injuries they suffered arose from the September 11, 2001 Terrorist Attacks; Defendant's role in the September 11, 2001 Terrorist Attacks

constituted acts of international terrorism that violated state and federal laws pursuant to 18 U.S.C. § 2331; that the September 11, 2001 Terrorist Attacks constituted acts of international terrorism committed, planned or authorized by an organization that had been designated as a foreign terrorist organization under 8 U.S.C. § 1189; that the September 11, 2001 Terrorist Attacks violated state and federal laws pursuant to 18 U.S.C. § 2331; and that Defendant aided and abetted, by knowingly providing substantial assistance, with others and/or conspired with others who committed an act or acts of international terrorism in violation of 18 U.S.C. § 2333 *et seq.*

5. Plaintiff(s) is making such claim on the following basis, and incorporates by reference that supplemental information provided on Appendix 1 to the *Iran Short Form Complaint*, identifying the Plaintiff(s) asserted basis for participating in this suit:

- ☐ Estate Wrongful Death Claim by Estate Representative on Behalf of an Individual Killed as a result of the September 11, 2001 Terrorist Attacks
- ☐ Solatium Claim by Immediate Family Member of an Individual Killed as a result of the September 11, 2001 Terrorist Attacks
- ☐ Personal Injury Claim by Individual Injured as a result of the September 11, 2001 Terrorist Attacks

IDENTIFICATION OF PLAINTIFFS

6. The following allegations and information are alleged on behalf of each individual who is bringing this claim, as indicated on Appendix 1 to this *Iran Short Form Complaint*, herein referred to as “Plaintiffs.”

- a. The citizenship/nationality of each Plaintiff is indicated at Appendix 1 to this *Iran Short Form Complaint*.
- b. Plaintiff is entitled to recover damages on the causes of action set forth in the complaint identified above, as joined by this *Iran Short Form Complaint*, and as further asserted within this *Iran Short Form Complaint*.

- c. As indicated at Appendix 1, Plaintiff (i) is the estate representative of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; (ii) is the surviving immediate family member of someone who was killed as a result of the September 11, 2001 Terrorist Attacks; and/or (iii) suffered physical injuries as a result of the September 11, 2001 Terrorist Attacks.
- d. For those plaintiffs with personal injury claims, as indicated in Appendix 1, related to the September 11, 2001 Terrorist Attacks, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at an area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged, as stated specifically in Appendix 1.
- e. For those plaintiffs with personal injury and/or wrongful death claims, as indicated in Appendix 1, as a direct, proximate and foreseeable result of Defendant's actions or inactions, Plaintiff or his or her decedent suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain and suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and/or as described in the *Iran Short Form Complaint*, and/or as otherwise may be specified in subsequent discovery proceedings, and/or as otherwise alleged in Appendix 1.
- f. The name, relationship to the injured and/or deceased September 11 victim, residency, citizenship/nationality, and the general nature of the claim for each plaintiff asserting wrongful death and/or personal injury claims is listed on the attached Appendix 1, and is incorporated herein as allegations, with all allegations of the related complaints, as specified above, deemed alleged as to each plaintiff.

IDENTIFICATION OF THE DEFENDANT

7. The only Defendant named in this *Short Form Complaint* is the Islamic Republic of Iran.

NO WAIVER OF OTHER CLAIMS

8. By filing this *Short Form Complaint*, Plaintiff(s) is/are not waiving any right to file suit against any other potential defendants or parties.
9. By filing this *Iran Short Form Complaint*, Plaintiff(s) are not opting out of any class that the Court may certify in the future.

WHEREFORE, Plaintiff(s) pray(s) for relief and judgment against Defendant as set forth in the *Ashton* Iran Complaint or the *Burnett* Iran Complaint, as indicated above.

JURY DEMAND

Plaintiff(s) hereby demand(s) a trial by jury as to the claims in this action.

Dated: _____

Respectfully Submitted,

Counsel for Plaintiff(s)

See Appendix 1 Annexed

APPENDIX 1 TO THE IRAN SHORT FORM COMPLAINT*(EXEMPLAR-ALL NAMES BELOW ARE FICTITIOUS)*

Each line below is deemed an allegation, incorporating the allegations, language and references within the *Ashton* Iran Complaint or the *Burnett* Amended Complaint as noted in the *Iran* Short Form Complaint to which this Appendix is appended. All allegations below shall be referenced as Allegation 1 of Appendix 1 to *Iran* Short Form Complaint Civ. Docket No., _____, Allegation 2 of Appendix 1 to the *Iran* Short Form Complaint Civ. Docket No. ____ , etc.

	Plaintiff's Last Name, First Name	Plaintiff's State of Residency at Filing	Last Name, First Name of 9/11 Decedent (wrongful death and solatium cases)	Plaintiff's Relationship to 9/11 Decedent (wrongful death and solatium cases)	Plaintiff's Citizenship/ Nationality on 9/11/01	9/11 Decedent's Citizenship/ Nationality on 9/11/01 (wrongful death and solatium cases)	Nature of Claim (wrongful death, solatium, personal injury)
1.	Ames, Mary	CA	Smith, Joanne	Sister	US/US	US/US	Solatium
2.	Green, William	NY	N/A	N/A	US/US	N/A	PI
3.	Boyles, James	MA	Boyles, Caroline	spouse/PR	US/US		WD, Solatium
4.	Kiles, Frank	RI	Richardson, Martha	PR	US/US		WD